

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference JCAE 0308676	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/FR2004/001837	International filing date (<i>day/month/year</i>) 13.07.2004	Priority date (<i>day/month/year</i>) 16.07.2003
International Patent Classification (IPC) or national classification and IPC G01D13/22		
Applicant JOHNSON CONTROLS AUTOMOTIVE ELECTRONICS		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-6 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-5 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/2-2/2 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-5</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>3-5</u>	YES
		Claims <u>1-2</u>	NO
	Industrial applicability (IA)	Claims <u>1-5</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
1	Reference is made to the following documents:		
	<p>D1: US-A-5 797 345 (EVANS II WILLIAM J ET AL) 25 August 1998 (1998-08-25);</p> <p>D2: EP-A-0 805 340 (BOSCH GMBH ROBERT) 5 November 1997 (1997-11-05);</p> <p>D3: US-A-5 372 087 (KATO MIKI ET AL) 13 December 1994 (1994-12-13);</p> <p>D4: WO 99/47376 A (MANNESMANN VDO AG; JANS A FRANK (DE); NOLL HEINRICH (DE); VOGEL MIC) 23 September 1999 (1999-09-23).</p>		
2.	NOVELTY		
2.1	Document D1, which is considered to be the prior art closest to the subject matter of claim 1, describes (the references between parentheses apply to said document):		
	<ul style="list-style-type: none"> an indicating device for a dashboard, having a luminous pointer and mounted on an electronic card on a dashboard (column 1, lines 30-36); 		

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	<ul style="list-style-type: none">• wherein said pointer comprises a rotatably mobile arm that has a light source, and said card comprises a power source for powering said light source (column 1, lines 30-36), which device is characterised in that• said light source includes a flexible substrate of which a first portion is coated with a luminescent substance exposed to electrical voltage from said power source (column 1, lines 36-40). <p>It follows that the subject matter of claim 1 differs from this known dashboard indicating device in that:</p> <ul style="list-style-type: none">• the first portion of said substrate is electrically connected to the power source via a flexible electrical connection consisting of a second portion of the insulating flexible substrate used as a carrier for at least two conductive tracks. <p>The subject matter of claim 1 is, therefore, novel (PCT Article 33(2)).</p> <p>2.2 Claims 2-5 are dependent on claim 1 and, as such, therefore also fulfil the PCT requirement of novelty.</p> <p>3. INVENTIVE STEP</p> <p>3.1 The present application does not fulfil the</p>

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	<p>requirements set forth in PCT Article 33(1) because the subject matter of claim 1 does not involve an inventive step as defined in PCT Article 33(3).</p> <p>3.2 The problem that the present invention is intended to solve can be considered to be that of enabling simple pointer assembly while preventing wear of the electrical connection between the light source and the power source.</p> <p>3.3 The solution proposed in claim 1 of the present application is not considered to be inventive (PCT Article 33(3)), for the following reasons:</p> <ul style="list-style-type: none">• These features have already been used for the same purpose in a similar indicating device (see D2, claim 1). It would be obvious for a person skilled in the art to use these features with a corresponding effect in an indicating device as per D1 and thereby arrive at an indicating device as per claim 1. <p>3.4 Dependent claim 2 does not contain any features which, in combination with the features of any one of the claims to which it refers, might define subject matter that fulfils the PCT requirement of inventive step (see document D2, claim 10).</p> <p>3.5 The combination of features in claims 3-5 is not found in the documents cited in the search report</p>

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	<p>and cannot be derived in an obvious manner therefrom. As a result, claims 3-5 fulfil the PCT requirement of inventive step.</p> <p>4. INDUSTRIAL APPLICABILITY</p> <p>The subject matter of claims 1-5 is industrially applicable in compliance with the requirements set forth in PCT Article 33(4).</p>